

**THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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IN RE:	:	CASE NO.: 5:18-BK-01966 RNO
KURT A. TOPFER	:	
Movant	:	
	:	ANSWER TO EMERGENCY MOTION
EVELYNE RUETIMANN	:	
Respondent	:	
	:	
Trustee Attorney: Jill Spott	:	
Respondents Attorney: Lisa Doran	:	

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**ANSWER TO MOTION FOR RELIEF**

**NOW COMES** Trustee, Robert P. Sheils, Jr., Esquire, by and through his attorneys, Sheils Law Associates, P.C., and answers the Motion of Movant, as follows:

1. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph one and strict proof thereof is demanded. By way of further answer, upon information and belief, knowingly writing checks when funds are not available is a criminal matter.

2. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph two and strict proof thereof is demanded. By way of further answer, Trustee cannot transfer assets to Debtor that have not been exempted.

3. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph three and strict proof thereof is demanded.

4. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph four and strict proof thereof is demanded.

5. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph five and strict proof thereof is demanded.

6. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph six and strict proof thereof is demanded.

7. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph seven and strict proof thereof is demanded.

8. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph seven and strict proof thereof is demanded. By way of further answer, opposing counsel has not been identified.

9. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph nine and strict proof thereof is demanded.

10. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph ten and strict proof thereof is demanded.

11. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph eleven and strict proof thereof is demanded.

12. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twelve and strict proof thereof is demanded.

13. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirteen and strict proof thereof is demanded. By way of further answer, this agreement is not identified in Debtor's schedules.

14. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph fourteen and strict proof thereof is demanded.

15. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph fifteen and strict proof thereof is demanded.

16. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph sixteen and strict proof thereof is demanded.

17. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph seventeen and strict proof thereof is demanded.

18. Debtor filed a Chapter 7 petition, but has cited a Chapter 13 Code Section. Motions are pending that would give the Trustee the ability to follow through with Debtor's request. By way of further answer, the Trustee's office has urged Debtor on numerous occasions to seek legal counsel.

19. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph nineteen and strict proof thereof is demanded.

20. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twenty and strict proof thereof is demanded.

21. Debtor can obtain updates from the docket. By way of further answer, the Trustee incorporates his response to paragraph two above as if fully set forth herein.

22. Trustee's secretary responded that Trustee had no funds and wasn't sure what the Debtor wanted the Trustee to do.

23. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twenty-three and strict proof thereof is demanded.

24. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twenty-four and strict proof thereof is demanded.

25. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twenty-five and strict proof thereof is demanded.

26. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twenty-six and strict proof thereof is demanded.

27. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twenty-seven and strict proof thereof is demanded.

28. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twenty-eight and strict proof thereof is demanded. By way of further answer, Trustee incorporates his response to Paragraph eighteen above as if fully set forth herein...

29. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph twenty-nine and strict proof thereof is demanded.

30. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirty and strict proof thereof is demanded.

31. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirty-one and strict proof thereof is demanded. By way of further answer, the Trustee incorporates his response to paragraph eighteen above as if fully set forth herein.

32. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirty-two and strict proof thereof is demanded.

33. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirty-three and strict proof thereof is demanded.

34. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirty-four and strict proof thereof is demanded.

35. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirty-five and strict proof thereof is demanded.

36. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirty-six and strict proof thereof is demanded.

37. Denied. After reasonable investigation, Trustee is without sufficient knowledge or information to form a belief as to the truth of the averment in Movant's paragraph thirty-seven and strict proof thereof is demanded.

**WHEREFORE**, Robert P. Sheils, Jr., Esquire, Chapter 7 Trustee, respectfully requests this Honorable Court deny Movant's Motion.

Dated: May 20, 2019

/s/ Jill M. Spott  
Jill M. Spott, Esquire  
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